

TWO

LETTERS

Concerning the

*C. S. ~~Peer~~
K. ~~Scotland~~*

Present Union,

FROM A

PEER in SCOTLAND

TO A

PEER in ENGLAND.

Printed in the Year MDCCVL

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LETTER

FROM

E. C. to E. W.

Concerning the

UNION.

MY LORD,

IT is of more difficulty than perhaps you think, to give account of the Nation's Opinion or Inclination, as to the Matter of the *Union* with *England*, or the present *Treaty* for that end: Their Opinions of the *Treaters*, and Inclinations of the *Subject* of the *Treaty*, are very different Things. As to the First, Many allow of the *Treaters*, and far more do not; and some would be as well pleased, if there were no *Treaters* at all. I desire not to say much as to the Persons, because it is Personal, and lyes much on Conjecture, and on particular Affection and Relation of the Thinkers to the Actors, and varies accordingly; but, generally speaking, they are thought

for far most part, to be all of a Piece, and as the Earl of *Towmonds* Teag said of his Lord's Cocks, They being the Men of one Master, it's expected they will not Quarrel nor Differ, but that they will come down all of one Opinion, if they be not of it e're they go up. For it's said, There is but one Chief on whom they depend, one Councillour on whom they rely; and if *English* Influence be serious in the Case, all Men think, our *Pack* well fitted for the Impression.

But as to the *Subject* of the Treaty, there are very many different Opinions; and this cannot but be look'd for, amongst so many different Factions on very different Interests. Many think, that the *Electors* of the Treaters have projected to please one Party, and to make it strong; but conjecture also, that only one Party being thereby obliged, many other Parties different enough from one another, may Unite in Opposition against that one, and then the *Hercules*, will have more than Two to One on his Shoulders.

NOW as to the *Subject*: The different Parties are best seen, in narrating their various Thoughts, with relation to different Views of the Subject. I shall take but few of them to my Task, viz. An *Union* or *No Union*, i.e. Neither in Head nor Body: There are few for the last, in an absolute Sense, and fewer who will own it, but some there are, and those will joyn in, to whatever will most obstruct it.

THE Reflections on the unhappy State of *Britain*, whilst it was divided into many Kingdoms, before the *Roman* Invasion; And how these Divisions invited the Invasion, and did facilitate the Conquest; How after the *Roman* Recession it first invited, then submitted to the *Angles* and *Saxons*, as to a great Portion of the whole Isle; How those of the *Heparchy*, destroyed themselves; How the last and least Division of it into two Kingdoms, obliged both to expend that Blood and Treasure, the one on the other, which if imployed then on *France* or *Spain*, might have prevented the injurious Designs of an Universal Monarchy, and made it easier

easier to Curb the Contenders, than now it is to Moderate the weakest of them. I say, these Thoughts cannot but stifle the Wishes, for two or more Kingdoms within *Britain*.

THE next Division on the Subject, is in an Union in the *Head* only (as it was since the Year 1602) or in *Head* and *Body*. The Experience that *Scotland* have acquired of that State, hath discovered so many Inconveniencies and Hurts, if not Ruine, by being into two different Bodies, as to Religion, Honour, Power and Riches: How much less it is in all or most of these Considerations since, than it was before, is the only Motive that could make us look back to the *Egyptian* Fleth-pot of a divided Lot, or to a good Thought of a divided Kingdom; yet the Evils of the other partial Union, (not to say harsher Words) were so great and apparent, that only Duty and Loyalty to our Kings, (who did not go into such an Union without the Consent and Intreaties of our Ancestors,) could allay our Resentments; since this did take from us, all pretence of Retreat or Resentment against our Kings, but kept us by Justice (tho' to our Hurt) in Allegiance to them, and precluded, and still precludes, Inquiry after our Vows, or any Capacity to loose the Sacred Knot which we our selves have cast and tyed so fast: Nor do I know, if without breach of Duty, we could make publick and avowed Consults, for Alterations in the Sovereign's Rights and Possessions, if our present Sovereign had not both Allowed and Commanded it: But that having changed the Case, and turn'd our Danger into Duty; this hath also both allowed and obliged us to deal Honestly, which we cannot do, without dealing Freely and Candidly: And this (in Justice) if allowed to Many, must be allow'd to All who have Concerns of the same Nature; and that is, to all *Britains*. Tho' the Honour of preparing *Matters* for both the *Representatives*, be confer'd on a few; yet that being only to deliberat in what occurs by discoursing on National Sentiments, and that even they, will know the better,
the

the more publickly the Sentiments of all, or many be express'd. Matters standing thus; and that Duty, does not now hinder, but obliges us to tell our Sentiments of the several Views, of the several Modes or Forms of Uniting the Two Kingdoms; (and that of *No Union*) being rejected (I hope) by all true *Britains*; And the Evils, at least, the want of many Goods, yea necessary Goods, in the Union 1602, being so apparent by long and dear bought Experience, especially to *Scotland*; And we being to treat, not with relation to our present Royal Sovereign, but come openly to speak as if we were to begin on a new Base; And that this other Party with whom we Treat, have already deliberated and concluded, as finding themselves in legal Capacity to Choose Persons, to Prescribe Conditions, and indeed to frame a New Original Contract, and fundamental Charter of future Government; And that they cannot, nor do not deny us to be on the like Base, and in the same equal Freedom, so to do: As it will be duty on us, to observe Contracts and Faith given, so it highly imports us and our Posterity, to Consider e're we Conclude, and to turn all sides of the Arguments and Objections: I shall touch some of what occurs to me.

I. Object *WE will lose our ancient Name of Scotland.* Ans. *Scotland* is not our ancient Name; nay there is not such a Word in our ancient Language nor native Tongue: It's true when the second Colony of *Celts* came from *Gallicia* to *Eirin*, now called *Ireland*; the prior Inhabitants, to distinguish that new Colony from the former, did for Distinction, give us that diminutive Name; and the share bestowed on them in that Country, had some such Appellative, which I never saw but in Latin Writers, both *Irish* and others, by whom it was called sometimes *Scotia*, sometimes *Partes Scotorum*, as I have shewed in another Treatise, wherein our true Antiquities are asserted: But our Ancestors could not think that, a Name of Honour, which they never own'd in their Language. Whilst they were in *Ireland*, they were known by the Name *Mulich* in Latin *Milefii*,

Milesi: And when they came over to Possess the *British* Isles, and some Skirts of the Continent of the Isle call'd *Albania*, they themselves, and those in *Ireland* whom they left, called them *Albanich*, and in Latin *Albani*; others did, but we our selves never own'd the Name *Scotti*, nor does our Language yet know it, nor the Name *Angli*; for in our Language the ancient Inhabitants of *Britain* were called *Britich* and in Latin *Britanni*; We, nor the *Irish* never noticed the Colony of the *Angles* for ought I know, both of us, did the *Saxons*; for both of old and new, the *Irish* and we call them *Sassanich*, in Latin *Saxi* or *Saxoni*.

THIS by the by, and to show that we ought not to be superstitiously fond of the Name of *Scotland*, no more than *England* ought to be of the name of *Angleland*, and they themselves do not own *Saxoni* or *Sassanich*: But *Brittish* or *Britanni*, meanly and ignorantly deduced from a suppositious Name of a Renegado; but *Britich* shewing a descent from a *Celtick* Root, should be willingly, embraced, as an escape from our diminutive Agnames: And since *England*, do on so wise Consideration, relinquish a Name that imports *To be Conquered*, and are wisely satisfied to resume the honourable Name of *Britich* or *Britanni*, why should we foolishly adhere to our little Distinction?

II. Object. *We alter our Fundamentals: And from being a totum per se we sillily do become a bit or little piece of a Whole.* Answ. Albeit it had been a good Choice to have been *Primus Mantua*, rather than *Ultimus Roma*; for that is too wide an Antithesis; yet I should not esteem the Judgment; that would prefer the being of *Primus Mantua*, to the being the *Secundus*, *Tertius*, yea than the *Decimus Roma*: And if to be the Tenth of *Rome*, were better than to be the First of *Mantua*, then the Odds is ten to one.

BUT let any Man Consider, and then answer, Whether it were better to be a Consul in *Rome* or *Mantua*, or a *Patricius*, or an *Eque*?

III. Object. *That after we are united to them, and so put under their Jurisdiction, which in the Dernier result, must lye in a plurality*

vality of a Representative; we being a lesser Number, they will impose upon us what they please, and as they please. *Answ.* This concludes too much, or nothing: For if the Argument be good, every Shire in England would have good reason to separate from the Whole; because that may be: And if Borrowbridge and its Neighbour Alborough, and old Sarum, should joyn together, they could out-vote London, &c. and so of every Shire.

But in short, the source of this Objection and many others, is, That after we are One, we will be Two, which is impossible; and if this mistaken Notion were suppress'd, it would refute many Sophisms, and remove many needless Fears: For who will be an Enemy to his own Body? And if any Two or Three should combine to be so, ten to one of the rest would join against them. And since Reason and Prudence are the Motives of this Union, and the great Design is to unite the Affections of Britains; to do what the Objection fears, must presuppose, That such a Representative would be Fools or Mad Men,

IV. Object. *Our Municipal Laws whereupon our Property is establish'd, would be alter'd.* *Answ.* This is not only to be provided against by the Treaty, but England neither is, nor never can be concern'd to have our Laws relating to private Rights alter'd or chang'd: But on the contrary, in all Civiliz'd Nations, such Municipal Laws and local Customs, are always preserv'd and observ'd:

V. Object. *The last Result of all Judgments in England doth terminat in the House of Lords; and if it were so in Scotland, then all Actions would be, by Appeal, drawn up to Westminster, which would ruine Scots-Men who are of Contentious Humours.* *Answ.* Tho' I neither love, nor will assent to this Character of our Nation, (but why should not the Humourous pay for their humour;) I do not think that England will be pertinacious in that Point; nor do I see any Advantage they will have by denying it to us: But on the Supposition that they will, let me suppose that the Session of Scotland could do wrong, and do a notable Injury

jury to any Person: I desire acquaintance with that Man, who would not desire an Appeal for Redress to some Person or Persons. *If an Appeal or Protest for remeid of Law, be now made to the Parliament of Scotland; it would be very expensive to prosecute an Action before the Parliament of England.*

Ans. It may be not so much, as an Appeal to the Parliament of Scotland, but *Majus & minus non variant speciem*: Remedies are not impossible, E. Gr: May not Appeals be allowed, only for Matters of a determin'd great value?

IT was an old Law in Scotland, and not without Examples else where; That when a Sovereign Judge, committed manifest Iniquity, against plain Law; the Sentence for, or against the Party, did still stand valid; and the Redress was against the Judge: And if this be thought too severe, may it not be against both, by some Proportions? It may be said, *This would be dangerous to the Judges, and who would be a Judge at this rate?* *Ans.* The Danger is only to these who judge notoriously wrong; And is it not as reasonable that Fifteen Judges be obnoxious to a Parliament, as that the whole Nation be obnoxious to Fifteen Judges? But in this, I still apprehend England will give us our will; and then I think we will choose to do as they do, with, or without the Expedient proposed.

VI. Object. *By this Scotland will be further from the Center of its own Government than it is now; and the Extremities of Nations by a distance from the Center of Government, are always Poor and Contemptible.* *Ans.* This is one of the Considerations which is not capable of a general Rule: Let us consider Examples and Experience, which is the best politick Argument. Are Newcastle, Bristol, Harwich, Exeter, and Worcester, the poorest Incorporations in England? Are Lyons, Marseilles, Bourdeaux, Tolouse, Rochel, the Poorest Incorporations in France? Are Toledo, Barcelona, Cadiz, Bilbo, the poorest Incorporations in Spain? Are Nerva, Rule, Riga, Christiansbadt, the poorest Incorporations in Sweden? But there is a Mistake in the Cause of the Poverty and Riches of Places, which lies not in their Situation,

tuation, with respect to the Center of Government; but with respect to the Materials or Accommodations for Trade, *E. Gr: Newcastle* hath Coal and Salt, and lieth near a tolerable Harbour and Road, and thereby is accommodat for a plentiful Trade, and so is every one of the above named Places of the respective Kingdoms; for a Place which hath a subject of Trade whether Natural or Artificial, and of Hands and Minds inclin'd to labour for Riches, will certainly acquire them, and draw Riches from the Center of the Government, as all those Places above mentioned do. And Men must wink with the Eyes of their Judgment, who cannot see, that if *Britain* were one intire Body Politick, that part of it now call'd *Scotland*, hath three Firths which afford inexhaustable Mines of Trading Stuff, and want nothing but Strength to Defend it, and Mercat to Vend it; both of which would be an immediat Result of a full Union.

VII. Object. *A Total Incorporating Union seems impracticable: As, in the adjusting the Number that shall be added to the House of Peers and House of Commons. Answ.* We should ask but a due Proportion, which must either answer with respect to the number of Men; and that being the most valuable Treasure, should in reason seem to be most respected in valuing the Proportion: Or, it must be with respect to the Stock of Estates: Or, with respect to the respective Quota's of the Publick Burden.

I say, we can ask but a due Proportion according to the same Rule; and *England* cannot with Reason refuse a due Proportion.

BUT in this Matter it should be consider'd by *Scotland*, Whether it be of more Advantage to us to have Many, or to have Few; For if the Use or End of Parliaments be, to give opportunity for one Part or Party of the Nation to Hurt or Prejudice another Part or Party; then certainly Men should be divided in Factions and fight to have Numbers; and it would be good Merchandice to buy Votes: But if the Design of Parliaments be, that all should consult and act for the Common Good as (without doubt) it is, if not the

only, yet certainly the chief and principal End of Parliaments, then all are obliged to contend for the Common Good, and to prefer that to the particular Good of any Part; and it is also Prudence, as well as Honesty, to do so.

IF it were of great Advantage to any part of *England* to have many Votes in Parliament, and a great Hurt not to have so; then *London* had reason to grudge, if not to mutiny, because the three Villages before mention'd (all which Three are not of the value of One of many Lanes in *London*) have more Votes than *London*: *England* could not conspire in such a Design, without being (in a manner) *Felo's de se*: And this is one of the wild Fancies which arises from the absurd Mistake, *viz.* That we are one and the same time Two, and yet One. And in my poor Opinion, the fewer Members we have in either House, the better for *Scotland* on many Considerations.

THUS I have explicat my little Thoughts as to the Form of an *Incorporating Union*: And I am so full of them, as to be perswaded that it is *Britain's* chief politick Good to be Incorporated into one Body Politick, and that it is so, whoever be King or Queen, or wherever the Sovereign Power, and last result of Magistracy does reside.

IT is not my Province to declaim, and Reason on the Grounds and Motives which should regulat *English-mens* Thoughts in this Matter, Tho' I presume, many such are obvious to every Thinking Man: For *England* will be a stronger Body, and more abounding in Men and Women, than now it is: It will be more terrible to its Foreign Enemies, more courted by its Foreign Friends: Its best Defence, its great Mote and Ditch, will then surround its Whole, whereas now it has a Gape and Breach, or rather a fair Bridge for entering it, of at least 60 Miles broad: *France* will lose its best Ally against *England*; *Britain* will have its own Fishing by convenient, near and sure Harbours, and so without Fighting may certainly have Advantage of all other Nations whatsoever, as of Three to One: *England's* Colonies in *America* will be increast; *Britain* will more and

more abound in Ships and Seamen, Arbitrary Government will want a Leg; Rebellions and Factions will want Hands: And when Neighbours become one and the same thing, the great Root of Emulation, and consequently of Contention, is removed: *England* needs not fear the like Fate as *Spain* did feel in the Separation from *Portugal*; Nor as *Pole* did, and doth feel from a weaker Nation, whose King becoming their King, thinking at first to have oppress'd the *Swede*, and then contemning him, have been well Cudgel'd into Repentance, although there was a Sea interpos'd, and one of the Potentest Nations in *Europe* to oppose their Relentment.

IT is undeniable that the increase of Men and Wealth is of Advantage to any Nation: Who without intolerable Scepticism can say, that it will not be an Advantage to *England* to have a Million of Men and Women brought in, and incorporated with them? But yet much more, if that Million should bring with them Goods and Wealth to entertain themselves sufficiently, and more. And on the other Hand, how great an Advantage would it be to *Scotland*, if Three Million of People, with abundance of Wealth, should be added to it; and that these new Incomes should not incroach upon their Lands or Houses, but bring with themselves all the Necessaries of Life conjoin with them in advantageous Neighbourhood, and to join Strength with them against all Enemies, in Offence or Defence?

ALBEIT few Men do believe the old History of *Bacchus*, who as a mighty King, did over-run and subdue many Nations, with no design of Hurt, far less of Ruin; but alenarly to bring in People for their own Good to learn Husbandry, and to live together kindly in rational Society: And few do not know the now undoubted History of the *Inca's* of *Peru*, who did really Conquer many People without any other Design, than what is reported of old *Bacchus*, unless we in ill Nature think, that Men do so good things to satisfy their Vanity; but whatever be the Motive, the Work and the End, are good and Noble.

NOW this is the Case of both our Nations; for without any other Trouble, Travel, Expence, or Danger, Scotland gets England, and England gets Scotland; both Conquer, and both are Conquered, with reciprocal Honour, Gain, and Security: Our Conjunction would be a Terror to our Enemies, a Support to our Friends, and a most solid Base for a never decaying Statue of British Prudence, and a perpetual Trophy of an unparallel'd Victory, where neither Party is Vanquish'd and both may Triumph with Glory and Honour.

SOME may (unworthily) whet the edges of their Ratiocination and Invention; to shew, or rather to invent Topicks, for redarguing these Truths; but either they are too fine, or my Reason too gross to find out such as require Refutation; all that I ever heard being founded on Mistakes of the Nature of Government, Laws, Honour, and contrary to Experience: And the Principles of them on the Paralogismes, That tho' we be One, yet we are Two; That greater Evils are not so hurtful as lesser; That for a great Good, we should not quit a little one; That for fear of a *Maybe*, or a *Possible* we should reject a *Probable* and a *Certain*: And would induce us to see great Dangers, as Products of their Fancy, contrary to the Experience of Mankind in all Ages.

AND yet more particularly their Mistakes do arise from Mistaken Parallels, as when the United Nations are remote one from another, or when one of the United, obliges the other to Wars unnecessary, for the one Party, or to Inconveniences by protecting them, which are Evils which cannot occur in our Case, we being both as it were wall'd within one City, and where both are bound by Interest to hinder any other Nation from subduing the other: And all the Arguments which yet hath occurred to me, are founded upon such inept Mediums.

BUT I do earnestly beg and wish, that the Treators, Parliaments, and all the Inhabitants of both the Nations, should weigh the Arguments of both sides in an impartial Ballance: And that for a while they should imagine themselves not as any of the two Nations, but as rational Umpires.

pires to judge of the Interest of both, as well in Conjunction as in Separation, and to remove Passion and Prejudice whilst they Act this Judges part, and I shall then expect a reasonable Sentence.

I know, that several excellent Persons, differ from me in this my Judgment; and whose Judgment in many things I prefer to my own, and there is one who (I think is Honest above Bribes or Fear) But,

Amicus Plato, sed Magis, Veritas.

ed upon such ineffectual Medicines.

But I do earnestly beg and wish, that the Trustees, Parliament, and all the Inhabitants of both the Nations, should weigh the Arguments of both sides in an impartial Balance: And that for a while they should imagine themselves not as any of the two Nations, but as rational Un-
dices

AND on the contrary, to be first into a State which will
 free us of both, will be yet the better, if we be hindered to
 return from Canada to the Whitebells.

Second Letter,

ON THE

British UNION.

HAVING said (I hope) enough to evince, that an
Incorporating Union is not only comparatively, but
 absolutely, and in it self desirable; yet for further
 evidence, let us in a short view set the other Opposite in
 the same Light, under the Name of a *Federal* Union, and
 in all its pretending Comparisons.

IT may be said, First, *That if we find Disadvantage by
 our Confederacy, by the League or Treaty, we may Repent, Re-
 turn, and Amend.*

The first two I grant; but the Third I cannot hope for:
 For to *Repent*, may be the effect of Fancy and Inconstancy:
Return we may, that is, we may Return to be a separate
 Kingdom as once we were; which I think to be the worst
 State we can turn to, except (as some think, tho' I do not)
 the state of being Two Separate Sovereign Bodies politic;
 under one Sovereign Head: But I cannot grant that the Re-
 turning to either of these States and Conditions, can be any
 Amendment to either of the Nations: But a Return in-
 deed to the same present Evils and future Pears that now
 we are in.

AND

AND on the contrary, to be fixt into a State which will free us of both, will be yet the better, if we be hindered to return from *Canaan* to the Wilderness.

~~II. We will lose our Sovereignty in a manner, and transfer it to England, to our Dishonour :~~ *Ans.* Our Sovereign, who now resides in another Kingdom, shall then reside in our own ; and so in place of Transferring it, we Reprive and Recover it. But I pray you, to turn the other side of the Picture, and there you will see *England* Transferring their Sovereignty to us, and their Sovereign to reside in our Kingdom : This is one of the Sophisms arising from the false Position, *viz.* One is Two, and Two are One.

III. ~~We shall quite lose our honourable ancient Name of Scotland.~~ *Ans.* I told elsewhere, That *Scotland* was a Name not Known to our People ; in our true Antiquity, not known in our Language, no not as yet ; for we never had, nor have such a Word in our *Scotish* Language : Given us indeed it is by other Neighbours ; but whether for Distinction or Derision, we are left to judge with the *Guelp's* and *Gibelins*. But what would you think to make *English*, *Saxons* and *Normans* (People proud enough of their Names, tho' with as little Reason as we are of ours, unless it be in Honour for the Conquerours to take the Name of the Conquered, as the *Turks* did take their Religion) I say, what would you think to make these Nations in *Britain* to quite their vain Names, and to return to us and the *Welsh*, in the true and honourable Name of *Britain* ? And this, with many greater Goods, we shall have by an *Incorporating Union*.

IV. ~~Our People will all leave the Scots Ground, and will go into England and carry their Goods with them, and leave this place Desolat, and will have great Invitations so to do, when we are incorporated into one Nation.~~ *Ans.* What hinders them to do so now ? Nor will they then carry more with them then is Their own ; they must still leave their Land and Houses behind them : And if *England* have Advantages in Strength, in Trade, in Laws which we want, because we are not one with them ; Have not our People greater Temptation and Reason to go from a place

a Place which wants these, as we do now, to a place which hath them, than they will have then to go from us after we are join'd with them in Strength, Trade, and Law? But what if our excellent Harbours and Situations for Trade, and the inexhaustable Mines and Treasures which grow every Year (exhaust what we can in the preceeding) should invite the *English* to come and dwell upon our Grounds, albeit they be hindered now by our want of their Strength, Trade, and Government.

V. *The last Answer lays down a good Reason against the Incorporating Union, viz. It will overturn our Laws, and consequently our Honours, Privileges and Estates.* Ans. To evite a Sophism in the word *Laws*, we must notice a great difference betwixt the Laws which concern Government from the Laws, which concern private Right and Property; for the publick Laws relating to Government, do always, and necessarily must alter when ever the publick Interest and State of that Politick Body alters: For a Childs Coat will not serve a Man, nor a Man's a Child. If a Nation grow Richer, Stronger, Poorer, or Weaker, Vicious, or more Vertuous: Or if its relative Condition and State, with respect to its Neighbours, do change; I say, on any or many such Changes or Alterations, the publick Laws must change and alter, except we love Names better than Things, and a bad State rather than a better. And if we join with *England*, and *England* with us, there is no doubt but the Prudence of the conjoin'd Body will retain of both the ancient Constitutions, what will be necessary or fit for the new United Body; and all concern'd, Fools excepted, will be content to cast off or change what will be hurtful to the whole Body, and to take in place thereof, what will be judged better for the good of the Whole.

BUT as to the Laws which concern private Right and Property, there is no doubt we our selves may change them, and do so yearly, when our Representatives think it expedient. And these with whom we are to

be join'd, can have no concern to alter our particular Laws; nor was ever two People join'd, unless it was by Conquest, to alter any municipal Laws, as *Portugal* when it was join'd to *Spain*, *Lithuania* or *Sweden* to *Pole*, *Navarre* to *France*, nor any of the many Kingdoms of *Spain* to one another: Nor do wise Kingdoms attempt to judge particular Places, but according to local Consuetudes; far less will they ever infringe establish'd Laws as to private Interest. And in *England*, hath not *Kent* its Gavalkind? Hath not *Lancashire* its Ducal Authority, and many particular Laws and Forms? Hath not *Wales* both different Laws and Forms before its Presidial Court? And may not *York* have so, if the People of that County did not reject it? But it is very probable, that both the new *English* and the new *Scots*, may mutually discover to one another, several particular Reformati^ons in particular Laws to particular Advantages. So I leave this needless Fear, as what may be chas'd away with a serious Thought.

VI. IT is told us, *That we may have all that's fit and necessary for us by a Fæderal Union, without overturning our Fundamental Constitution.* Answ. Tho' a bare Negative be a full Answer to this, and binds the Proof upon the Asserter, which I fear could not be proven before the *Græcian Kalends* which is a long Term; Yet I shall redargue the Assertion only from two Queries. 1. Will *England* grant to us in vertue of a *Federal Union*, a Liberty of Trade in their Kingdom and its Dependancies? I wish they would, but I fear they will not; The Reasons of my Fear are such, as will hinder me to consent to such a Treaty; for if I were an *English* Man, I would think, that if a *Scots* Man could bring in his native Product into my Country, and especially to my Plantations, which by reason of low Fraught and small Price, he could sell cheaper than an *English* Man could; and at the same time buying the Product of *English* Plantations as cheap as an *English* Man could do, when the *English* Man returns to *England*, and pays 20 or 30 per Cent. of Impost and Tax: And when the

the Scots Man returns to Scotland, and pays but 5 or 10 per Cent; or perhaps none at all; if he be of the Indian Company; what with his low Price and low Fraught from Scotland, and his cheap or no Custom in Scotland, a Dantzicker, Muscoviter, or Hamburger, &c. who hath a mind to buy West-Indian Goods, may have them in Scotland 20 or 30 per Cent cheaper than he can have them in England. This is plain and obvious, not only to the Intelligent Merchants of England, but to any who ever thought twice of the Matter and Nature of Trade.

But if a Parliament of England should remove this my Fear, by granting us a free Trade unto their Plantations, then a new Ground of Fear doth occur, viz. When England sees this great Lesion to their present and future Generations; the first Parliament which discovers this, will think them K—— who granted it without a Resolution to observe it; or Fools and Betrayers of their Country, if they did resolve to observe it: And therefore they will take the best Remedy against both; And finding that they have as good Title and Authority to rescind that Act, as the other had to make it, and that the rescinding Act will be of more profit to the present and future Generations of England, will therefore very frankly rescind it; and tell us that it was not in Anger or ill-will to Scotland; but in Self defence, and for the very Preservation of England, which being *salus populi*, and *suprema & primaria Lex*, must overrule a posterior Grant to a National Prejudice.

IT may be possible, that the Common Sovereign to both the Nations will not move for such a new Law, nor willingly promote it; but what if either or both of the Houses of Parliament will humbly represent to the Majesty, many Evils of such a Law or Concession, which will end in the total Ruine of England; and therefore will constantly Address for taking it away, since it is but a Treaty with a Neighbour Nation; and all such Treaties ever did, and ever must alter; when their Effects turn destructive to the Commonwealth: It's true, that the Sovereign in kindness to his King-

dom of Scotland, may refuse his Assent to the Repeal: But what if the House will say that the Act is so hurtful, that until it be repeal'd, they should not grant a Subsidy, yea they cannot, yea *Nolamus*? And the Case may prove to be; Your Majesty will lose the Affections of England, if you do not rescind it: The weight in the other ballance is, you will lose the Affections of Scotland if you do. *It*: If you rescind not, the Trade of England must ruine: On the other side, if it be rescinded Scotland will lose that Trade. *Queritur* to what side will the ballance incline? Whether of the Evils will the Sovereign submit to? Certainly to the least, else he will make a wrong Choice: But such a Mistake in him is not to be feared.

INDEED if the Case were such, as that the Sovereign might say; Good People, you are mistaken; for you are not in the Case of two different Nations; for you are but of one Kingdom, since you have but one King. I am affraid the Answer would be, *We have indeed but one King, but we are two very different Bodies, of very different Humors; and of very different Interests.* And therefore this Dilemma will naturally follow, *viz.* If you rescind the Act, you Hurt Scotland; If you rescind it not, you Hurt England: *Eligat Dominus.*

THE very like Argumentation will occur in the making of War and Peace with Foreigners; in Treaties of Commerce, &c. For there may be a Case wherein it may be fitter for England to conclude a Treaty, wherein and whereby it may be agreed to, That Scotland shall lose its Privilege of being free of the Custom of 20 Sol's per Tun in France: And by another Treaty *Inter eosdem*, That this Scots Priviledge shall be transposed to the Dutch. *It*: That Dutch Men may sell Herrings catcht in the Scots Seas, to France: But Scotland shall be debarr'd from selling their own or any other Bodies Herrings. I say this may be: It hath been, *Edga* it may be: But if we were one Body with England, it will alter the Case, and prevent the Mischief, as surely, as it doth now cause it.

SHOULD we fancy *England* so blind, as not to see, that it is their Interest to have such a transcendant Influence on and over *Scotland*, as may keep them free of Fear or Danger from us: And to see that the Poorer and the Weaker *Scotland*, is, it will be the less hurtful, the more obedient and the more subservient to the Interest of *England*? And therefore will they let us become Rich or Strong upon our own separat Base; so as that we may kick if a fairer Ocession offer? Will they upon our publick Faith allow us to attain a Capacity wherein we may cope with them? *Credas Judens Appella*: If *Wales* had continued under the Prince of *England* and his Father, but yet have continued a distinct Body, with a distinct independent Parliament?) would they allow them a free Trade to their Plantations as now they do? I think *Wales* would not believe them, tho' they promised it: No, *England* was more Honest than to promise it; nor would they have been so Foolish as to perform it; since they could not without their own destruction and being *Peto's de se*; which were a great Sin; & in male Promissis, fragenda est Fides: And good *England* would not be obstinate in such an Error.

But some will say, The Observance of such a Treaty will be insur'd by our going in with *England* under the same Sovereign.

We did so in 1602; and we are so now, and we are sworn by Allegiance to abide so; and we are taught, and some of us have learn'd *Not to make Inquiries after lawful Vows*; and therefore do stand by our Allegiance to Her Majesty, and the Heirs of Her Body: And I should think my self ill Manner'd, or worse, if I had started a *May be*, of an ominous Case. But since transcendent Authority hath made it a Duty not only to Speak of, but to Consult and Provide for such a Case: And since it is so, allow me as a Party concern'd, (tho' a very little one) to give in my Sentiment with the Crowd.

IF then we shall come to the State and Case of having

WERS :

wers : And that we have Title to do so, as freely and as independently as any other Nation did, or may do; then it appears to me, to be unfit, yea, hurtful to *Scotland*, to be join'd to any Kingdom, especially a Greater; unless we be join'd in it, as well as to it; for the Reasons already told, and the Evils which are evidently Consequential, on such a motely Conjunction.

AND as to the Cure propos'd, by being under one and the same Sovereign; I Discourse thus: If the two different Kingdoms shall on any Occasion, happen to have different and contrar Interests, in War, Treaty or Trade; and if what will be the true Good of *Scotland*, will be judged by *England* to be disadvantageous to them: There is no doubt the King of *England*, *qua talis* will be for what is good for *England*; and suppose his Affection to both, should stand in just balance, and then justly allow him to direct his Choice by Prudence, and then tell me which of the two Interests he will prefer: In this, I consider the Sovereign as the Head of *England*.

NOW what shall the Sovereign and Head of *Scotland* do in this Case? Is it possible in Nature for him to stand up for the Interest of *Scotland* against *England*, *i. e.* against himself in his greatest Capacity? And then enquire, Whether is the Interest of *Scotland* supported and made stronger, by being under one and the same King with *England*, whilst we are two different Politick Bodies? Or are we not in this Case whilst we contend with *England*, upon the Matter as a Body without a Head? And therefore this *Salvo* from the Prejudices of the Divided *Britain*, seems no adequate Remedy by being under one King, and not in one Kingdom; but on the contrary: And yet no Man of Sense or Reading, but must judge, That an absolute Division of *Britain* in two or more Kingdoms, hath been and would be, the greatest Politick Evil, and Mother of all the Mischiefs of *Britain*.

AND therefore, without violenting Reason, we must acknowledge, That we are bound by Duty to our Country and Posterity, to refuse to *England* to be under their Head, (if

(if we be free to choose, as I am sure we are, as well as they were) unless they come in with us, into one and the same Body.

THERE is no doubt, there are many evident Evils and Mischiefs, by not being under one and the same Sovereign: It is not proper to make Comparisons in this matter; but absolutely speaking, there are many Inconveniences and Mischiefs, by our being in two different Bodies: And if the Division of two Kingdoms be the Cause thereof, then the Cure lies, in our being in One.

A great Topick, and to my Regret, too easily received by Many, is that whereby they Work upon the Fancies of the Nobility, as if it were either dishonourable or disadvantageous to their Order, if by an *Incorporating* Union, the far greatest Number of them would not be allowed to Sit in Parliament. And no doubt they think the Assertion true; because it is obvious to Thought, and consonant to Reason, that when a Coalition is made, that it should be made by due Proportion.

IF the Advantages which will arise from our Union by being United, do not down-weigh all the Good that we can have, by two great a Number of our Nobility going up to tell their *Minds* in *Parliament*, I confess it then, the Union is not worth the asking. I would not think it too great a stretch of Reason to advance this Proposition, *That the fewer Members we have in Parliament, the better for us*: But I shall urge more evident and plain Mediums.

THE suppos'd Danger, is from the possibility, that the Members which Represent that which is now *England*, may make it their Business to pass Acts in the prejudice of what is now *Scotland*, and carry it by a plurality of Votes; and therefore we should capitulat for many Votes: Is it not evident, that this says too much, or says nothing? For albeit we had our whole Parliament join'd to theirs, they will have double or triple our Number; and therefore our Treaty should be, to have twice or thrice the Number of our Parliament join'd to their Parliament; else the pretended Danger is not removed.

But

But the Objection and Fear are founded on two Absurdities. *First*, That after we are United into one Body, we are still Two. *2dly*. That the Study of the parts of this Body, will be to destroy it Self in the whole: For if the Parts of a Politick Body, come once to make it their Business to destroy one the other, then the whole must ruine: For he is wiser than we, who told, *That a Kingdom divided against it self cannot stand*. On this Ground, the City of London might have great Cause to fear, that several Burrows in England may join to hurt them in Matter of their Trade and Merchandice: And yet if London would desire to have such a Number of Votes as would be proportionable to their Interest in England, how ridiculous would the Fear, and how unjust would the Cure appear? Arguments constrain'd and founded on Fancies, and refin'd to Possibilitites, produce no solid Knowledge; nor is it neither good Nature or Wisdom to study them.

BUT I wish our Nobility would consider and ballance the Reasons which England have to refuse such a Proposition; whilst they offer us a due Proportion with relation either to our Riches, our number of People, or our share of Publick Burdens; and I presume England, will not refuse either one of these, or a Proportion suited by a complex Consideration of them all, in a Conjunction.

AND on the other hand, our Prudence, in choosing, rather to have a good Number of our Nobility elected for every Parliament, elected proportionably out of every Part of the Kingdom, to Sit for the Whole in a Parliament; than to have the whole Number go: For it is evident that will save much Expense; and probably the Fittest Men will be sent; and if any prove Unfit, others will be Chosen on the next Occasion: (which will be a great Motive to move all who are sent, to act Wisely and Honestly) Or, if an Election please not, then they may go *per Vices* in Rotation.

AND altho' all the Nobility do not sit in Parliament, yet there is none but may sit, and probably there will be few or none forc'd to sit: And albeit they do not all at once Exercise that Priviledge, yet they have many Priviledges, which upon

upon Consideration, will appear very valuable, both in Court, City, and Country, and relating to Persons and Estates; and let them ballance it with what they have at present, and I presume *England* will not deny them the Priviledges which belong to their Rank, excepting only that they cannot all at once sit in Parliament.

I can see no Reason why any of our States should be afraid of the Consequences, in being in the one Parliament of *Britain*; the Priviledges of Knights and Burrows will not be Diminish'd by it, but on the contrair: And our Church should wisely consider, whether they will have better Security by being under the Legislative Power of the united Parliament of *Britain*, than in the Separate Parliament of *Scotland*, which is not alwise Unchangeable: And perhaps *England* will agree to this Article of Treaty, *That no Change shall be made in the Church Government that is now Scotland, but what shall be concluded by the major part of our Representatives*; And are they not so now, and have been, and certainly must be, if they be Legal? I mean as to their *Politeia*, external Jurisdiction, Benefices, and Circumscription of their Jurisdiction? Nor do I think, they will be so imprudent, as to set up themselves for a Barrier, against the common Good and Interest of *Britain*.

THERE are indeed two things which I fear, *viz.* Our National Sins, and our National Factions. The First may be a cause of Judgment and Misery: The Second is, the Misery and Judgment which we deserve. But this I think, That Factions being one of our greatest Mischiefs, and a Cause of many; there is not a more probable Cure of that Malady, than an Union: For then flattering Courtiers will want one Handle, or great Motive for perswading of the Sovereign to exerce Arbitrary Government, by using one of the Kingdoms to oppose the other.

SECUNDO, After the Union, a Faction in *Scotland* or *England*, Rebelling against the King, cannot find a Representative of one of the Nations to join and support them in it, to

the Ruine of the Crown, for there will be but one National Capacity.

TERTIO, A Faction in *Scotland*, cannot have a Fund to hope for the Government of *Scotland*, over their Fellow Subjects, and Opposits, *i. e.* All who are not of their Faction: and because they are not such, nor can they expect to be Supported in so ill a Design, by having the Representative of the other Kingdom to Support them: And what hath been, may be, and no doubt will be, if not prevented by an Union. *Scotland* will then, and thereby be free of the Fears and Jealousies of *English* Influence: and no *English* Man, or Men will nourish a vain Desire of having it.

AND whereas *Scots* Men's running up to expend their Money in *England*, is used as an Argument against the Union; I think (to the contrair) that *Scots* Men will not then have occasion to foment Murinies and Discord in *Scotland*, and then to run up to *England*, not to Inform, but Mis-inform, by making *Mole-hills* appear to be Mountains, their *Wind-Mills* to be Giants, and their own Tricks to be dangerous Conspiracies by others; and all this that they may be sent back with Power and Support to impose publick Burdens, wherewith to fill their Purses, and after Conjur'g the Devils, which they raised to return to *England*, there to expend their Money, mean while by a new Spell, to produce a new Gobbilin, in Order to a new Employment: And if Experience be consulted, it will appear, that so, and so, our Money hath been carry'd to *England*; but by an Union all such Magick will be at an End.

MANY more Evils there are, which an Union will both Prevent and Cure; but I hope that *Scotland* will not be so affected with their Ancient Lethargy, as not to be awak'd by what is said: And as for *England*, their own Interest (which is better known to them, than to me) will I presume, speak louder to them, than I can: And abating these who are Factionous for Tyranny or for Rebellion, I think, that all the rest, *i. e.* All, who are true Hearted *Britains*, and who think seriously on the Interest of *Britain*, will be more for its Union, than I am: if any can be so

May our Pious and Wise QUEEN's Serious and oft-reiterated Recommendations and Desires for our Union, Influence all Her Subjects; and may that tend to GOD's Glory, to Her Majesty's Honour, and to Her People's Happiness. And I hope all the People will say *Amen*. And this is heartily Pray'd for, By

Edinb. 8th.
of April 1706.

MR. LORD.

Your most humble Servant,

POSTSCRIPT.

My Lord,

NO doubt every Opinion in this Matter will pretend to be for the National Advantage; and indeed their Preference does depend on that Character: For if it appear that the whole Isle, when divided, is thereby more obnoxious to Invasion from Abroad; and more easily Ruin'd or Subdu'd: Or if it appear, that the Isle is more obnoxious and adapted for intestine Division and War, by being divided than when it is United; then it is a Natural Inference, that Union will prevent these Dangers, and Cure that depraved Disposition; and consequently, that altho' some one part of the Isle should have a Temporary greater Benefit by being in a separated State from the rest; Yet, since these Goods which exist in, and by the Separation are obnoxious to be lost by the two fore-mention'd Universal Evils; and not only so, but all their other Advantages and Goods being lost by Foreign Invasion or Intestine War. Then, if a greater Good be preferable to a lesser,

a lesser, or a lesser Evil be eligible rather than a greater; it will follow, that an United State is better than a Divided; And that it is the Interest of the Whole, either by Force or Perswasion, to draw the Divided, or Dividing Part or Party, into a total Union.

AND to conclude this, whatever Sophisms may be used in arguing from the Good of some particular Parts against the Catholick Good, whereon not only the Health, but the Life of the Whole, doth, or may probably Depend; they are redargued from many Experiments: Such, amongst many others, was the Fate of many Kingdoms of *Spain*, of the ancient *Gauls*, and of the *British* and *Saxons*, in petty Kingdoms, under Monarchies: And such were the *Græcian* Republicks, the several *Ante Roman* Nations in *Italy*; and the *Belgick* Divisions (before the *Burgundian* Greatness) in Republican Frames. And without Examples, there is a Certainty for the like Event, from the like Cause.

AND therefore allow me without Passion, to Conclude, joining in Judgment with *Solomon*, That such Patriots as under that Name, would rather have a Piece of *Britain*, under their Patronage, than that it should be in a Whole, and thereby in the State of a durable Life, were Typified in the *Whore who would Divide the Child*. And therefore, the true Judgment should be, that those who are for the total and true Union of *Britain*, are as the True Mother, and so the true Patriots of their Country.

FINIS.



